Judge Marc L. Barreca

UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE: ADAM GROSSMAN, Debtor.	CHAPTER 7 CASE NO. 10-19817 AGREED ORDER ON TRUSTEE'S OBJECTION TO CLAIM NO. 14-1 OF PETER ZIEVE

THIS MATTER came before the Court for hearing on September 13, 2013 upon the Trustee's Objection to Claim No. 14-1 of Peter Zieve, Motion, Notice of Hearing and Proof of Service (Docket No. 507, hereinafter the, "Trustee's Objection"). The Court considered the Trustee's Objection, the response with supporting declaration of Peter Zieve ("Zieve") opposing the Trustee's Objection (see Docket Nos. thereof identified below), the Trustee's declaration regarding agreed disposition of the Trustee's Objection (hereinafter the, "Declaration") and the pleadings and records in the above entitled case. The Court finds as follows: (a) the Trustee's attorney of record, Bruce P. Kriegman, appeared for the hearing; (b) Zieve did not appear for the hearing; (c) the Court determined that the hearing on the

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Trustee's Objection should be continued to September 27, 2013 and that if Zieve did not appear at the continued hearing, Zieve's claim (i.e., Claim No. 14-1) would be disallowed; (d) the Court entered an order memorializing its determination (Docket No. 548) which the Trustee's attorney duly mailed to Zieve as required by said order (see proof of mailing, Docket No. 549); (e) subsequently, Daniel Benn Ehrlich filed a notice of appearance as attorney for Zieve and filed a response with supporting declaration opposing the Trustee's Objection (Docket Nos. 552 and 553); (f) the Trustee's counsel has advised the Court in the Declaration that the Trustee and Zieve have reached agreement upon the disposition of the Trustee's Objection and that this stipulated order fully and accurately memorializes the terms to which the parties agreed; (g) that Claim No. 14-1 arises from a transaction with the Debtor that occurred after the Debtor and his ex-spouse were in the process of getting divorced; (h) that, to the extent the claim, if any, that it is valid, constitutes a separate pre-bankruptcy obligation of the Debtor and not a pre-bankruptcy obligation of the Debtor's former marital community; (i) that Claim No. 14-1 (to the extent allowed hereunder) should be characterized as a separate obligation of the Debtor, as to which any pro rata distribution in the case shall be made only from assets (if any) attributable to proceeds from liquidation of property of the bankruptcy estate derived from the separate property of the Debtor; and (j) that the disposition to which the parties agreed is fair and reasonable and should be approved and that this order should be entered to allow implementation of said disposition.. NOW, THEREFORE,

IT IS HEREBY ORDERED as follows:

1. Claim No. 14-1 is allowed on the terms and conditions set forth herein as a general unsecured claim for $120,000.

2. Claim No. 14-1 is characterized as a separate property claim and shall only be eligible for a distribution, if any, from proceeds of property of the bankruptcy estate attributable to separate property

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of the Debtor (and not from any property of the bankruptcy estate attributable to assets or property of the Debtor's former marital community).

3. The allowance of Clam No. 14-1 hereunder is without prejudice to and subject to the right of the Trustee to further object to Claim No. 14-1 (including but not limited to reiterating the grounds for objections stated in the Trustee's Objection) in the event that there are any funds of the bankruptcy estate attributable to the Debtor's separate property and said funds are sufficient to make any distribution on any allowed claims.

///END OF ORDER///

Presented by:

KRIEGMAN LAW OFFICE, PLLC

/s/ Bruce P. Kriegman

Bruce P. Kriegman, WSBA #14228
Attorney for Trustee

Agreed; Notice of Presentation Waived:

LAW OFFICES OF DANIEL EHRLICH, PLLC

please see attached signature per e-mail
authorization of Daniel Benn Ehrlich

Daniel Benn Ehrlich, WSBA #41802
Attorney for Peter Zieve

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of the Debtor (and not from any property of the bankruptcy estate attributable to assets or property of the Debtor's former marital community).

3. The allowance of Clam No. 14-1 hereunder is without prejudice to and subject to the right of the Trustee to further object to Claim No. 14-1 (including but not limited to reiterating the grounds for objections stated in the Trustee's Objection) in the event that there are any funds of the bankruptcy estate attributable to the Debtor's separate property and said funds are sufficient to make any distribution on any allowed claims.

///END OF ORDER///

Presented by:

KRIEGMAN LAW OFFICE, PLLC

Bruce P. Kriegman, WSBA #14228
Attorney for Trustee

Agreed; Notice of Presentation Waived:

LAW OFFICES OF DANIEL EHRLICH, PLLC

Daniel Benn Ehrlich, WSBA #41802
Attorney for Peter Zieve

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